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3 **IN THE UNITED STATES DISTRICT COURT**  
4 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
5

6 Northern Insurance Company Of New York, **No. C 05 02319 MEJ**

7 Plaintiff,

8 **STIPULATION AND [PROPOSED] ORDER**  
**SELECTING ADR PROCESS**

9 v.  
10 Sara H. Orrick dba Pacific Underground  
11 Services; et al.,

12 Defendants.

13 **ADR CERTIFICATION**

14 The parties stipulate to participate in the following ADR process:

15 **Court Processes:**

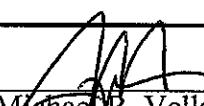
16  Arbitration  ENE  Mediation

17 *(To provide additional information regarding timing of session, preferred subject matter  
18 expertise of neutral, or other issues, please attach a separate sheet.)*

19 **Private Process:**

20  Private ADR – JAMS (please refer to attachment regarding the parties' intent  
21 regarding the private ADR process).

22 Dated: September 13, 2005

23   
24 Michael R. Velladao

25 Jeffrey A. Meyers

26 Attorneys for Plaintiff NORTHERN  
27 INSURANCE COMPANY OF NEW YORK

28 Dated: \_\_\_\_\_

29 \_\_\_\_\_  
30 John G. Platt  
31 Attorney for Defendant BRANDON VAN  
32 BOOVEN

33 Dated: \_\_\_\_\_

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35 Jack Eskridge  
36 Attorney for Defendants RANDALL R.  
37 ORRICK and

38 **IT IS SO ORDERED:**

39 Dated: September 18, 2005

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Northern Ins Co of New York

Case No. C 05 02319 MEJ

Plaintiff(s),

ADR CERTIFICATION BY PARTIES  
AND COUNSEL

v.

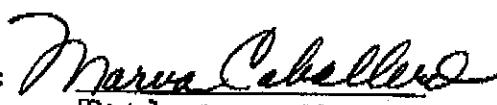
Orrick

Defendant(s).

Pursuant to Civil L.R. 16-8(b) and ADR L.R. 3-5 (b), each of the undersigned certifies that he or she has:

- (1) Read the handbook entitled "*Dispute Resolution Procedures in the Northern District of California*" on the Court's ADR Internet site [www.adr.cand.uscourts.gov](http://www.adr.cand.uscourts.gov) (Limited printed copies are available from the clerk's office for parties in cases not subject to the court's Electronic Case Filing program (ECF) under General Order 45);
- (2) Discussed the available dispute resolution options provided by the Court and private entities; and
- (3) Considered whether this case might benefit from any of the available dispute resolution options.

NORTHERN INSURANCE COMPANY OF NEW YORK

Dated: 08-18-2005By:   
[Party] PlaintiffDated: Sept. 13, 2005  
[Counsel] Jeffrey A. Meyers  
Counsel for Plaintiff

TOTAL P.02

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

Northern Insurance Company Of New York, No. C 05 02319 MEJ

**Plaintiff,**

**STIPULATION AND [PROPOSED] ORDER  
SELECTING ADR PROCESS**

4

Sara H. Orrick dba Pacific Underground Services; et al.,

## ADR CERTIFICATION

**Defendants.**

The parties stipulate to participate in the following ADR process:

## Court Processes:

Arbitration    :     ENE    :     Mediation

*(To provide additional information regarding timing of session, preferred subject matter expertise of neutral, or other issues, please attach a separate sheet.)*

### Private Process:

Private ADR – JAMS (please refer to attachment regarding the parties' intent regarding the private ADR process).

Dated: September 13, 2005

Michael R. Velladco  
Jeffrey A. Meyers  
Attorneys for Plaintiff NORTHERN  
INSURANCE COMPANY OF NEW YORK

Dated:-

John G. Platt,  
Attorney for Defendant BRANDON VAN  
BOOKEN

Dated:

Jack Eskridge  
Attorney for Defendants SARA H. ORRICK and  
RANDALL R. ORRICK

**IT IS SO ORDERED:-**

Dated:

**UNITED STATES DISTRICT JUDGE**

**STIP. AND ORDER SELECTING ADR PROCESS/CERTIFICATION – NO. C 05 02319 MEJ**

1 SIGNATURE AND CERTIFICATION BY PARTIES AND LEAD TRIAL COUNSEL  
2

3 Pursuant to Civ. L.R. 16 and ADR L.R. 3-5(b), each of the undersigned certifies that he  
4 or she has read either the handbook entitled "Dispute Resolution Procedures in the Northern  
5 District of California," or the specified portions of the ADR Unit's Internet site  
6 [www.adr.cand.uscourts.gov](http://www.adr.cand.uscourts.gov), discussed the available dispute resolution options provided by  
7 the court and private entities, and considered whether this case might benefit from any of  
8 them.

9 (Note: This Certification must be signed by each party and its counsel.)

10  
11 Dated: Sept 14, 2005 Sara H. Orrick  
12 Defendant Sara H. Orrick

13 Dated: Sept 14, 2005 Randall R. Orrick  
14 Defendant Randall R. Orrick By - Sara H. Orrick

15 Dated: Sept. 14, 2005 Jack Eskridge, Esq.  
16 Jack Eskridge, Esq., Counsel for  
17 Defendants Sarah H. Orrick and Randall R. Orrick

18 Dated: \_\_\_\_\_ Defendant Brandon Van Booven

19 Dated: \_\_\_\_\_ John G. Platt, Esq., Counsel for Defendant Brandon Van Booven

20 Dated Sept. 14, 2005 Pacific underground Services  
21 By: owner/partner  
22 R. Sara H. Orrick  
23 SARA H. ORRICK  
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Sep-13-05 14:56 From-LEWIS BRISBOIS BISGAARD &amp; SMITH

+1213 481 0821

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1 SIGNATURE AND CERTIFICATION BY PARTIES AND LEAD TRIAL COUNSEL  
23 Pursuant to Civ. L.R. 16 and ADR L.R. 3-5(b), each of the undersigned certifies that he  
4 or she has read either the handbook entitled "Dispute Resolution Procedures in the Northern  
5 District of California," or the specified portions of the ADR Unit's Internet site  
6 <[www.adr.cand.uscourts.gov](http://www.adr.cand.uscourts.gov)>, discussed the available dispute resolution options provided by  
7 the court and private entities, and considered whether this case might benefit from any of  
8 them.9 (Note: This Certification must be signed by each party and its counsel.)  
1011 Dated: \_\_\_\_\_ Defendant Sara H. Orrick  
1213 Dated: \_\_\_\_\_ Defendant Randall R. Orrick  
1415 Dated: \_\_\_\_\_ Jack Eskridge, Esq., Counsel for  
16 Defendants Sarah H. Orrick and Randall R. Orrick  
17 Dated: 9-14-05   
18 Defendant Brandon Van Booven19 Dated: Sept 13, 2005   
20 John G. Platt, Esq., Counsel for Defendant Brandon Van Booven  
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STIP. AND ORDER SELECTING ADR PROCESS/CERTIFICATION - NO. C 05 02319 MEJ

1                   **ATTACHMENT TO STIPULATION AND [PROPOSED] ORDER SELECTING ADR**  
2                   **PROCESS/ADR CERTIFICATION**

3                   It is the parties' desire to satisfy Northern District Local Rule 16-8 and ADR Local Rule 3  
4                   regarding selection of an ADR process through the private mediation of the underlying lawsuit  
5                   styled *Brandon W. Van Booven v. Sara H. Orrick, individually and dba Pacific Underground*  
6                   *Services; Randall R. Orrick, individually and dba Pacific Underground Services; Pacific*  
7                   *Underground Services; and Does 1-25*, Contra Costa County Superior Court Case No. C 04-  
8                   01838 ("Van Booven lawsuit") that is the subject of the present Declaratory Relief action. A  
9                   settlement mediation was previously scheduled to take place in the *Van Booven* lawsuit before  
10                  JAMS mediator Judge Ellen James (Ret. Contra Costa Superior Court) on September 20, 2005  
11                  but was cancelled. The parties have no objection to holding a future mediation before Judge  
12                  James and intend to schedule a mediation within the next one hundred (100) days.  
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